

Remarks

This is a response to the office action mailed February 20, 2004. Claims 1-23 were filed in this application. In this office action, the Examiner rejects claims 1-7 and 11-21 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,304,178, issued to Hayashida (hereinafter "Hayashida").

The Examiner further rejects claims 8-10 under 35 U.S.C. §103(a) as being unpatentable over Hayashida and further in view of U.S. Patent No. 6,157,024, issued to Chapdelaine et al. (hereinafter "Chapdelaine"). Finally, the Examiner rejects claims 22 and 23 under 35 U.S.C. §103(a) as being unpatentable over Hayashida in view of U.S. Patent No. 5,142,152, issued to Boiucaner (hereinafter "Boiucaner").

Applicant cancels claim 3 and amends claims 1, 12 and 19 by way of this Response. Reconsideration and reexamination of the application is respectfully requested.

A. Rejections Under 35 U.S.C. § 103(a)

The Examiner rejects claims 1-7 and 11-21 under 35 U.S.C. §103(a) as being unpatentable over Hayashida. The Hayashida reference applied by the Examiner does not obviate Applicant's claimed invention. As such, Applicant respectfully request reconsideration of the rejection of claims as presented in this response.

Hayashida discloses and claims a proximity detection system for use with an automatic elevator or building door set. The Examiner contends that it would be obvious to use the Hayashida system in the entry area of a vehicle, as the Hayashida specification lists a vehicle door as an art-recognized equivalent, citing col. 1, lines 5-10 of the Hayashida '178 patent. However, Hayashida does not **explicitly** teach or suggest applying the proximity detection system to an automatic door closure system for a motor vehicle. In fact, Hayashida

teaches the use of the proximity detection system in conjunction with a **window** traveling within a vehicle door frame, not a sliding door for a vehicle.

Hayashida does not present an art-recognized equivalent to Applicant's claimed invention. All drawing figures except Fig. 36A asserted by the Examiner for support that it would be obvious to modify an entry area in Hayashida illustrate double door entry systems, each movable relative to one another. Hayashida Fig. 36A illustrates a window movable relative to a window frame of a vehicle door. Hayashida fails to disclose an equivalent to Applicant's claimed entry area in a motor vehicle.

Applicant amends independent claims 1, 12 and 19 to specifically recite that the Applicant's detection system is used in conjunction with a sliding door received within an entry area of a motor vehicle. The elevator door and vehicle window applications disclosed in Hayashida are not equivalent structures to Applicant's motor vehicle door obstruction detection system. As such, Applicant requests reconsideration of the claims as amended. Further, Applicant respectfully suggests that dependent claims 2-11 and 13-18 are also in condition for allowance as being dependent upon allowable subject matter presented in claims 1 and 12.

The Examiner rejects claims 8-10 under 35 U.S.C. §103(a) as being unpatentable over Hayashida in view of Chapdelaine. Applicant respectfully asserts that claims 8-10 depend from allowable subject matter in independent claim 1 and therefore are nonobvious over the Hayashida/Chapdelaine combination. Further, Applicant respectfully submits that the window obstruction detection systems disclosed in the Hayashida and Chapdelaine references are non-analogous art to Applicant's claimed invention.

Finally, the Examiner rejects claims 22 and 23 under 35 U.S.C. §103(a) as being unpatentable over Hayashida in view of Boiucaner. Since claims 22 and 23 depend from allowable subject matter in independent claim 19, Applicant believes these claims are allowable for at least the reasons stated above with reference to independent claim 19 above.

B. Conclusion

Applicant has made a genuine effort to respond to each of the Examiner's objections and rejections in advancing the prosecution of this case. Applicant believes that all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested. If any additional issues need to be resolved, the Examiner is requested to telephone the undersigned at his convenience.

Respectfully submitted,

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